

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In re Flint Water Cases*

Case No. 5:16-cv-10444-JEL-EAS  
(Consolidated)

Hon. Judith E. Levy

Mag. Judge Elizabeth A. Stafford

**CLASS PLAINTIFFS' EX PARTE MOTION TO FILE OMNIBUS  
RESPONSE TO DEFENDANTS' MOTION TO STRIKE EXPERT  
TESTIMONY**

Class Plaintiffs respectfully move the Court under E.D. Mich. L.R. 7.1(d)(3)(A) to allow Class Plaintiffs to file an omnibus response to Defendants' Motions to Strike Expert Testimony.

The VNA and LAN Defendants have collectively filed ten motions to exclude testimony from nine of Class Plaintiffs' experts,<sup>1</sup> many of which contain similar

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<sup>1</sup> ECF No. 2454 (VNA Motion to Exclude Certain Opinions and Testimony of Dr. Larry Russell); ECF No. 2455 (VNA Mot. to Exclude Certain Opinions and Testimony of Dr. Clifford P. Weisel); ECF No. 2456 (VNA Mot. to Exclude the Testimony and Reports of Robert A Michaels Ph.D., C.E.P.); ECF No. 2458 (VNA Mot. to Exclude Certain Opinions and Testimony of Dr. David Keiser); ECF No. 2459 (VNA Mot. to Exclude Opinions and Testimony of Dr. Daryn Reicherter); ECF No. 2460 (VNA Mot. to Exclude Opinions and Testimony of Dr. Paolo Gardoni);

arguments. Class Plaintiffs believe that they can most efficiently present a response in a single brief, which will avoid the need for repetitive recitations of the relevant law.

Accordingly, Class Plaintiffs request leave to file a single brief of no more than the pages that they would be entitled to file were they to file individual responses (250 pages). Class Plaintiffs anticipate that in an omnibus format, their response will be considerably less.

Dated: June 23, 2023

Respectfully submitted,

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ECF No. 2461 (VNA Mot. to Exclude Opinions and Testimony of Dr. Howard Hu); ECF No. 2462 (VNA Mot. to Exclude Opinions and Testimony of Dr. Robert A. Simons); ECF No. 2374 (LAN Renewed Mot. to Exclude or Limit Testimony of Dr. Paolo Gardoni and Dr. Larry L. Russell); ECF No. 2483 (VNA Mot. to Exclude Opinions and Testimony of Dr. Panos G. Georgopoulos).

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 23, 2023, I electronically filed the above document(s) with the Clerk of the Court using the ECF System, which will provide electronic copies to counsel of record.

Respectfully submitted,

/s/ Katherine Peaslee  
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